

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration of the objection and rejections and further examination are respectfully requested.

The specification and abstract have been reviewed and revised to improve their English grammar. The amendments to the specification and abstract have been incorporated into a substitute specification and abstract. Attached are two versions of the substitute specification, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

Original claims 1-20 were objected to as containing informalities. Claims 8, and 17-20 have been cancelled. Claims 1, 2, 4-7, 9-11 and 13-16 have been amended to resolve the problems identified by the Examiner.

Original claims 1-20 were rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 2, 4-7, 9-11 and 13-16 have been amended to comply with the requirements of 35 U.S.C. § 112, second paragraph. The amendments to claim 1, which were made in response to the 35 U.S.C. § 112, second paragraph rejection, are discussed below in detail.

Regarding the 35 U.S.C. § 112, second paragraph, rejection, please note that claim 1 has been amended to clarify the physical structure which forms the sparkling points. Specifically, claim 1 now recites that (i) the inorganic fine particle component, the inorganic finer particle component, and the resin component form the concavo-convex surface, (ii) a portion of the transparent inorganic fine particle component is exposed on the concavo-convex surface, and (iii) the exposed transparent inorganic fine particle component provides the concavo-convex surface with sparkling points. Thus, according to amended claim 1, it is now clear that the exposed transparent inorganic fine particle component provides the concavo-convex surface with the sparkling points. In addition, it is noted that claim 1 has been amended to clarify how the sparkling points change. Specifically, claim 1 now recites that the sparkling point change based on a level of radiation and movement of natural light or artificial light. Therefore, it is clear that claim 1 satisfies the requirement of 35 U.S.C. § 112, second paragraph, identified by the Examiner.

Moreover, independent claim 1 has been amended to further distinguish the present invention, as recited therein, from the references relied upon in the rejection discussed below.

Claims 1-10 and 12-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakai (U.S. 6,309,562). Further, claims 1-10 and 12-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakai in view of Yamanashi et al. (U.S. 2003/0087074). In addition, claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Sakai in view of Yamanashi and further in view of JP 4-7458. Claims 1-10 and 12-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 11-292595. Claims 1-10 and 12-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 11-292595 in view of Yamanashi. Finally, claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over JP 11-292595 in view of Yamanashi and JP 4-7458. These rejections are believed clearly inapplicable to pending claims 1-7 and 9-16 for the following reasons.

Amended independent claim 1 recites an artificial stone wall material including the following components: (1) an inorganic fine particle component; (2) an inorganic finer particle component; and (3) a resin component. Further, claim 1 includes a recitation that 5 wt% or more of the inorganic fine particle component is a transparent inorganic fine particle component, and includes a recitation that components 1, 2, and 3 form a concavo-convex surface having a maximum height between concavity and convexity ranging from 5 mm to 100 mm, wherein, at least a portion of the transparent inorganic fine particle component is exposed on the concavo-convex surface of the resin component, and the exposed transparent inorganic fine particle component provides the concavo-convex surface with sparkling points which change based on a level of radiation and movement of natural light or artificial light. The Sakai, Yamanashi, JP 11-292595, and JP 4-7458 references fail to disclose or suggest the structure formed by the above-mentioned features.

Rather, the Sakai reference teaches a molded artificial stone formed out of an inorganic aggregate and a resin, wherein a transparent component is incorporated for 50-100 wt% of an inorganic small particle component (see col. 4, lines 54-56). Further, the Sakai reference discloses a process teaching how the surface of the artificial stone is

formed (i.e., surface of the artificial stone is formed by roughening a surface of the inorganic aggregate and the resin), but does not disclose the exact structure formed by the roughening.

Thus, it is clear that Sakai's disclosure of incorporating 50-100 wt% of the transparent component as the small particle component is not a disclosure or suggestion of a resin component having 5 wt% or more of the transparent component as the inorganic fine particle component, as recited in claim 1, since a range of 5 wt% or more is outside a range of 50-100 wt%.

In addition, it is also clear that Sakai's disclosure of the process of roughening the surface of the molded artificial stone is not a disclosure or suggestion of the structure formed by the concavo-convex surface and the exposed transparent inorganic fine particle component, as discussed above.

The Examiner also relied on the Yamanashi reference for teaching the structure formed by the concavo-convex surface recited in independent claim 1. However, it is submitted that the Yamanashi reference merely teaches an artificial stone having a "concave groove depth of 0.02 to 1.0 mm" (see paragraph [0155]) and further teaches an "artificial stone with surface concave grooves of 0.2 mm deep on average" (see paragraph [0181]).

Thus, it is clear that Yamanashi's disclosure of groove depths ranging from 0.02 to 1.0 mm with a 0.2 mm depth average is not a disclosure or suggestion of a structure having a maximum height between concavity and convexity ranging from 5 mm to 100 mm, wherein 5 wt% or more of the inorganic fine particle component is the transparent particle component, as recited in amended claim 1.

It is also noted that the structure defined by amended claim 1 provides sparkling points, that are formed by the exposed transparent component and that change according to a level of radiation and movement of light, which results in an artificial stone wall material having significantly different properties than the artificial stone disclosed in the Sakai and Yamanashi references.

Further, the JP 11-292595 reference was cited for teaching the artificial stone wall material recited in amended claim 1. However, similar to the Sakai reference, JP 11-

292595 teaches the process of roughening a surface but does not disclose or suggest the structure formed by the concavo-convex surface as discussed above.

In addition, the JP 4-7458 reference was cited for teaching the limitations of dependent claim 11. However, in view of the above, it is submitted that JP 4-7458 does not disclose or suggest the limitations of amended independent claim 1 which are lacking from the Sakai, Yamanashi, and JP 11-292595 references.

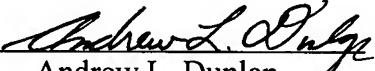
In view of the above, it is clear that any combination of the Sakai, Yamanashi, JP 11-292595, and JP 4-7458 references fails to disclose or suggest the features of amended independent claim 1. Therefore, it would not have been obvious to one of ordinary skill in the art to modify the above-mentioned references so as to obtain the invention of amended independent claim 1. Accordingly, it is respectfully submitted that amended independent claim 1 and the claims that depend therefrom are clearly allowable over the Sakai, Yamanashi, JP 11-292595, and JP 4-7458 references.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

Mieko SAKAI et al.

By:



Andrew L. Dunlap  
Registration No. 60,554  
Attorney for Applicants

ALD(NEP)/nrj  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
October 1, 2007